



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



320292

REPLY TO THE ATTENTION OF:

JUN 14 2005

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

RPM, Inc.  
(fka Tropical Paint)  
2628 Pearl Road  
Brunswick, OH 44212

RE: The Chemical Recovery Systems Site, Elyria, Ohio  
General Notice of Potential Liability and  
Request for Information

Dear Sir/Madam:

The United States Environmental Protection Agency (U.S. EPA or Agency) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above referenced facility (Site). To address the dangers and threats to human health and the environment as quickly as possible, several Potentially Responsible Parties (PRPs) have signed an Administrative Order on Consent (AOC) to conduct a Remedial Investigation/Feasibility Study (RI/FS) with U.S. EPA oversight. The Respondents are already two months into the field investigation. All response actions at this Site will be taken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 *et seq.* (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA). Responsible parties under CERCLA include the current and former owners and operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of hazardous substances at the Site. Under Section 107 (a) of CERCLA, 42 U.S.C. § 9607 (a), where the Agency uses public funds to achieve the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the Site, including investigation, planning and enforcement.

The primary objective of the RI/FS is to gather sufficient data to support the selection of the site remedy that will reduce or eliminate risk associated with the contamination at the site.

The Remedial Investigation (RI) involves:

- Characterizing the nature and extent of the risks associated with the contamination in the site soils, sediment, surface water, and groundwater;
- Determining the potential for contaminant transport via air, groundwater, and sediment/surface water pathways;

- Conducting a baseline public health evaluation and an ecological risk assessment; and
- Conducting treatability studies to evaluate the performance and cost of the treatment technologies and to support the design of the selected remedies.

The RI will also include waste characterization, geophysical surveys, excavation of test pits, soil sampling and analysis, groundwater sampling and analysis, and the determination of the site geologic and hydrogeologic characteristics.

The primary objective of the Feasibility Study (FS) is to develop, analyze, and compare a range of remedial action alternatives through the application of the nine established evaluation criteria. The FS is comprised of two main phases:

- Development and screening of alternatives; and
- Detailed analysis of the alternatives.

The data collected during the RI influences the development of the remedial action alternatives in the FS, which in turn affects the data needs and scope of the treatability studies and subsequent field studies.

Prior to the start of the RI field activities, which began July 7, 2003, the following plans were developed and approved by the U. S. EPA:

- Site work plan;
- Site health and safety plan;
- Site security plan;
- Site sampling and analysis plan for the Toxic Compound List/ Toxic Analyte List and Toxicity Characteristic Leaching Procedure Parameters;
- Site Quality Assurance Project Plan, and
- Site Community Relations Plan.

For additional information regarding the policy and guidance associated with conducting RI/FS studies see OSWER Directive (9355.3-01) Guidance for Conducting Remedial Investigations and Feasibility Studies (RI/FS) Under CERCLA, October 1988.

The U. S. EPA has received information that you may have owned or operated or generated or transported hazardous substances that were disposed of at the Site. By this letter, U.S. EPA notifies you of your potential liability with regard to this matter and encourages you, as a PRP, to reimburse U.S. EPA for costs incurred to date and to voluntarily perform or finance the response activities that U. S. EPA has determined or will determine are required at the Site. The U.S. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you would perform or finance response activities and reimburse U.S. EPA for its costs. If

a consent order cannot be promptly concluded, U.S. EPA may issue a unilateral order under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of U.S. EPA's costs, for statutory penalties, and for treble damages for noncompliance with such an order.

Attachment 7 is a list of the names and addresses of the PRPs to whom this notice is being sent. This list is provided to assist you in contacting other PRPs in this matter and to negotiate with U.S. EPA. Attachment 8 is a list of the respondents that have already signed the AOC, executed May 29, 2002, to conduct the RI/FS.

Enclosed is a U.S. EPA Small Business Regulatory Enforcement Fairness Act Information Sheet (Attachment 9). The information sheet may be helpful, if you are subject to enforcement action by U.S. EPA and you are a qualified small business.

As a PRP, you should notify U.S. EPA in writing within 10 days of receipt of this letter of your willingness to perform or finance the activities described above. If U.S. EPA does not receive a timely response, U.S. EPA will assume that you do not wish to negotiate a resolution of your potential responsibility in connection with the Site and that you have declined any involvement in performing the response activities.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary cleanup action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other party involved in those discussions or actions.

In addition, U.S. EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104(e) of CERCLA, 42 U.S.C. § 9604 (e), for the purpose of enforcing CERCLA and to assist in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the U.S. EPA has the authority to require any person who has or may have information relevant to any of the following to furnish U.S. EPA with such information: (1) the identification, nature, or quantity of materials which have been or are generated, treated, stored or disposed of at, or transported to a facility; (2) the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility and (3) the ability of a company or person to pay for or perform a cleanup. Attachment 1 is a summary of the history of the Chemical Recovery Systems Site.

Pursuant to Section 104(e) of CERCLA, you are hereby requested to submit a response to this Information Request and its questions in Attachment 2 concerning the Chemical Recovery Systems Site located at 142 Locust Street in Elyria, Ohio. Instructions to guide you in the preparation of your response are in Attachment 3. Definitions of the terms used in this

Information Request and in the questions are in Attachment 4.

This request is directed to your company, its officers, directors, and employees, and its subsidiaries, divisions, facilities and their officers, directors, and employees. The information sought herein must be sent to U.S. EPA within 30 calendar days of your receipt of this letter. Failure to respond fully and truthfully to this request, or to adequately justify any failure to respond, may result in an enforcement action against you by U.S. EPA under Section 104 of CERCLA, as amended.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by U.S. EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C. F. R. Part 2. To request that the Agency treat your information as confidential, you must follow the procedures outlined in Attachment 5, including the requirement that you support your claim for confidentiality.

The written statements submitted pursuant to this request must be submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to U.S. EPA pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify U.S. EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. § 1001. The U. S. EPA has the authority to use the information requested herein in any administrative, civil or criminal action.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act, 44 U. S. C. Section 3501 *et seq.*

Send your responses to both the Notice of Potential Liability within 10 days and the Information Request within 30 days, to:

U. S. Environmental Protection Agency  
Linda Mangrum, SR- 6J  
Remedial Enforcement Support Section  
77 West Jackson Blvd.  
Chicago, Illinois 60604 - 3590

If you have legal questions, please call Thomas Nash, Associate Regional Counsel, at (312) 886- 0552. If you have technical questions about this Site, call Gwendolyn Massenburg, Remedial Project Manager, at (312) 886- 0983. Address all other questions

to Linda Mangrum, Enforcement Specialist, at (312) 353-2071.

Due to the nature of the problem at this Site and the attendant legal ramifications, U.S. EPA strongly encourages you to submit a written response within the time frames specified. We trust you will give this matter your immediate attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wendy L. Carney for W.C.", written in black ink.

Wendy L. Carney, Chief  
Remedial Response Branch #1

Attachments

1. Site History
2. Questions
3. Instructions
4. Definitions
5. Confidential Business Information
6. Legal Authority
7. List of Potentially Responsible Parties (PRPs)
8. List of Respondents Executing the Administrative Order on Consent
9. Small Business Notice

## **Attachment 1 SITE HISTORY**

The Chemical Recovery Systems Site (CRS Site) is located at 142 Locust Street in Elyria, Ohio. The CRS Site is bordered on the west by the East Branch of the Black River, to the north and east by the Engelhard (formerly Harshaw) Chemical Company, and to the south by M&M Aluminum Siding Company. The CRS Site is located in a predominantly industrial and commercial area near the central business district of Elyria. The CRS Site consists of four parcels that are currently leased to M&M Aluminum which uses the Site property to store aluminum siding. Most of the Site's 2.3 acres are empty. Two buildings are currently on the CRS Site: a former warehouse and office building and the masonry shell of a building that housed a Rodney Hunt distillery. These buildings are located in the southeast corner of the CRS Site. The foundation of a building that formerly housed a Brighton still is located in the northeast corner of the CRS Site. The CRS Site is fenced on all sides except the side bounded by the East Branch of the Black River.

Beginning no later than the 1940s the CRS Site was used for commercial and industrial purposes such as a coal yard. During the 1950s, Harshaw Chemical briefly leased the CRS Site to store saggars. In 1960, Russell Obitts leased the CRS Site property and relocated his existing business, the Obitts Chemical Company, which reclaimed spent organic solvents, to the CRS Site. Later Russell Obitts and Dorothy Obitts purchased this property.

In 1974, Chemical Recovery Systems, Incorporated, a Michigan corporation (CRS-MI), assumed operations at the CRS Site through a stock purchase agreement with the Obitts Chemical Company. CRS-MI formed a wholly owned subsidiary, Chemical Recovery Systems, Inc., which it incorporated under Ohio law, to operate the former Obitts Chemical Company. In a separate agreement, CRS-MI leased the CRS Site property from Russell Obitts and Dorothy Obitts in a lease agreement with an option to purchase. A year later CRS-MI exercised its purchase option. Chemical Recovery Systems, Inc., an Ohio corporation (CRS-OH) continued operations at the CRS Site until 1981.

Operating as Obitts Chemical Company and then as CRS-OH the facility located on the Site received spent organic solvents from industrial facilities and reclaimed the solvents through distillation processes. Both owner/operators hauled contaminated solvents to the Site facility in their own tanker trucks and in stake trucks hauling 55 gallon drums. Spent solvents were stored in above ground tanks and 55 gallon drums. Soil contamination occurred through leakage and spills. Spent solvents that were transported to the CRS Site include, but are not limited to, the following: acetone, hexane, isopropyl alcohol, methylene ethyl ketone (MEK), tetrachloroethane, toluene, trichloroethane, and xylene. Analysis of samples collected at the CRS Site by U.S. EPA on November 26, 1979, detected PCE, ethyl benzene, and naphthalene. A solvent sample collected on February 5, 1980 contained toluene, ethylbenzene, xylene, and naphthalene. During U.S. EPA's visit to the CRS Site February 5, 1980, an employee of the facility identified specific solvents reclaimed there including paint solvents

Because the CRS Site posed imminent danger to the local population and the environment, U.S. EPA initiated an action under the Resource Recovery and Conservation Act (RCRA). On October 7, 1980, the U.S. Department of Justice (U.S. DOJ), on behalf of U.S. EPA, filed an action against CRS-OH in the U.S. District Court, Northern District of Ohio, to abate an imminent and substantial endangerment to public health and the environment from the CRS Site. On July 12, 1983, the District Court entered a Consent Decree that required CRS-OH to take these and other actions: excavate all visibly contaminated soils identified during a joint U.S. EPA and CRS-OH inspection; excavate the perimeter of the Brighton still to a specified depth and distance; dispose of the excavated soil at an approved waste disposal site; backfill the excavated areas; and grade the CRS Site. After its inspection of the CRS Site November 7, 1983, U.S. EPA concluded that CRS-OH was in compliance with the July 12, 1983 Consent Decree.

Because hazardous substances released at the CRS-Site remain in the soil and groundwater at elevated levels, U.S. EPA is now taking response actions, under the authority of Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and its amendments.

Several parties, already notified of their potential liability at the CRS Site, have signed an Administrative Order on Consent (AOC) to conduct a Remedial Investigation/Feasibility Study (RI/FS). Field work on the RI began on July 7, 2003, which was conducted in two phases. The first phase of the field investigation activities included the installation and sampling of 40 soil borings and the installation of five temporary monitoring wells. Five surface soils samples were collected from the river bank, and sediment and surface water samples were collected from the River. A camera survey of the storm sewer was performed to determine the condition of the storm sewer line that runs through the northern portion of the Site from Locust Street to the River.

The second phase of field investigation activities was conducted during the fall of 2003. Field activities included the installation of five groundwater monitoring wells, sampling the five newly installed monitoring wells, as well as, sampling from the four existing monitoring wells, and the taking of five soil borings along the storm sewer.

The draft Remedial Investigation/Feasibility Study Report was submitted for review and comment on October 2004. EPA, in consultation with Ohio EPA reviewed and submitted comments regarding the draft report to the PRP group. Based on EPA's comments, additional samples were taken along the River bank, and from River bank seeps (April 2005). Revision incorporating the EPA comments to the draft report are expected to be submitted to EPA for an additional, and possibly final, review in August 2005.

## **Attachment 2**

### **QUESTIONS**

1. Identify all persons consulted in the preparation of the answers to these questions.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons
4. List the EPA Identification Numbers of the Respondent.
5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.
6. Identify all persons, including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 142 Locust Street, Elyria, Ohio).
7. Describe all arrangements that Respondent may have or may have had with each of the following companies and persons:
  - a) Obitts chemical Company
  - b) Russell Obitts
  - c) Chemical Recovery Systems, Inc.
  - d) Peter Shagena
  - e) James Freeman
  - f) James "Jim" Jackson
  - g) Donald Matthews
  - h) Bob Spears
  - i) Bill Bromley
  - j) Carol Oliver



- k) Nolwood Chemical Company, Inc.
- l) Art McWood
- m) Chuck Nolton
- n) Michigan Recovery Systems, Inc.
- o) Chemical Recovery Systems of Michigan

8. Set forth the dates during which the Respondent engaged in any of the following activities:

- a) generation of hazardous materials which were sent to the CRS Site;
- b) transportation of any material to the CRS Site.

9. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site. In addition, identify the following:

- a) The persons with whom you or such other persons made such arrangements;
- b) Every date on which such arrangements took place;
- c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
- d) The owner of the materials or hazardous substances so accepted or transported;
- e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f) All tests, analyses, and analytical results concerning the materials;
- g) The person (s) who selected the CRS Site as the place to which the materials or hazardous substances were to be transported;
- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- i) Where the person identified in g. , above, intended to have such hazardous substances or materials transported and all evidence of this intent;

- j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k) What was actually done to the materials or hazardous substances once they were brought to the CRS Site;
- l) The final disposition of each of the materials or hazardous substances involved in such transactions;
- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction;
- n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the CRS Site, and all markings on such containers;
- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance.
- p) All documents containing information responsive to a - o above, or in lieu of identification of all relevant documents, provide copies of all such documents.
- q) All persons with knowledge, information, documents responsive to a - p above.

10. Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

11. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.

12. If Respondent is a Corporation, respond to the following requests:

- a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.

- c) Identify all of Respondent's current assets and liabilities and the person (s) who currently own or is responsible for such assets and liabilities.
- d) Identify the Parent Corporation and all Subsidiaries of the Respondent.

13. If Respondent is a Partnership, respond to the following requests:

- a) Provide copies of the Partnership Agreement;
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;
- c) Identify all of Respondent's current assets and liabilities and the person (s) who currently own or is responsible for such assets and liabilities.
- d) Identify all subsidiaries of the Respondent.

14. If Respondent is a Trust, respond to the following requests:

- a) Provide all relevant agreements and documents to support this claim.
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.
- c) Identify all of Respondent's current assets and liabilities and the person (s) who currently own or is responsible for such assets and liabilities.

:

### **Attachment 3 INSTRUCTIONS**

1. Answer each of the questions in this Information Request separately.
2. Precede each answer with the number of the question to which it corresponds.
3. In answering each question, identify all persons and contributing sources of information.
4. Although the U.S. EPA seeks your cooperation in this investigation, CERCLA requires that you respond fully and truthfully to this Information Request. False, fictitious, or fraudulent statements or misrepresentations may subject you to civil or criminal penalties under federal law. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes the U.S. EPA to pursue penalties for failure to comply with that Section, or for failure to respond adequately to requests for submissions of required information.
5. For any document submitted in response to a question, indicate the number of the question to which it responds.
6. You must supplement your response to U.S. EPA if, after submission of your response, additional information should later become known or available. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify U.S. EPA as soon as possible.
7. For any document submitted in response to a question, indicate the number of the question to which it responds.
8. You must respond to each question based upon all information and documents in your possession or control, or in the possession or control of your current or former employees, agents, contractors, or attorneys. Information must be furnished regardless of whether or not it is based on your personal knowledge, and regardless of source.
9. Your response must be accompanied by the following statement, or one that is substantially equivalent:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The individual who prepared the response or the responsible corporate official acting on behalf of the corporation must sign and date the statement, affidavit, or certification. Include the corporate official's full title.

10. If any of the requested documents have been transferred to others or have otherwise been disposed of, identify each document, the person to whom it was transferred, describe the circumstances surrounding the transfer or disposition, and state the date of the transfer or disposition.

11. All requested information must be provided notwithstanding its possible characterization as confidential information or trade secrets. If desired, you may assert a business confidentiality claim by means of the procedures described in Attachment 5.

## Attachment 4 DEFINITIONS

1. As used in this letter, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa.
2. The term **person** as used herein includes, in the plural as well as the singular, any natural person, firm, contractor, unincorporated association, partnership, corporation, trust or governmental entity, unless the context indicates otherwise.
3. **The Site** referenced in these documents shall mean the **Chemical Recovery Systems, Inc., Site** located at 142 Locust Street, Elyria, Ohio.
4. The term **hazardous substance** shall have the same definition as that contained in Section 101(14) of CERCLA, including any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The term, **pollutant or contaminant**, shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.
6. The term **release** shall have the same definition as that contained in Section 101(22) of CERCLA, and means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
7. The term **identify** means, with respect to a natural person, to set forth the person's full name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
8. The term **identify** means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g. corporation, partnership), organization, if any, and a brief description of its business.
9. The term **identify** means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
10. The term **you, yours or Respondent** shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, predecessors, partners, successors, assigns, subsidiaries and agents.

11. The term ***dump*** as used herein shall mean an accumulation of refuse and discarded materials and/or a place where such materials are dumped.

12. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, (RCRA), 40 C. F.R Part 300 or 40 C.F.R. Part 260-280, in which case the statutory or regulatory definitions shall apply.

**Attachment 5**  
**CONFIDENTIAL BUSINESS INFORMATION**

You may consider some of the information confidential that the U.S. Environmental Protection Agency (U.S. EPA or Agency) is requesting. You can not withhold information or records upon that basis. The Regulations at 40 C.F.R. Part 2, Section 200 *et seq.*, require that U.S. EPA afford you the opportunity to substantiate your claim of confidentiality before the Agency makes a final determination on the confidentiality of the information.

You may assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. Section 2.203(b). Information covered by such a claim will be disclosed by the U.S. EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. [See 41 Federal Register 36902 *et seq.*

(September 1, 1976); 43 Federal Register 4000 *et seq.* (December 18, 1985).] If no such claim accompanies the information when U.S. EPA receives it, the information may be made available to the public by the Agency without further notice to you. Please read carefully these cited regulations, together with the standards set forth in Section 104(e)(7) of Comprehensive Environmental Response Compensation Liability Act (CERCLA), because, as stated in Section 104(e)(7) (ii), certain categories of information are not properly the subject of a claim of confidential business information.

If you wish U.S. EPA to treat the information or record as *confidential*, you must advise U.S. EPA of that fact by following the procedures described below, including the requirement for supporting your claim of confidentiality. To assert a claim of confidentiality, you must specify which portions of the information or documents you consider confidential. Please identify the information or document that you consider confidential by page, paragraph, and sentence. You must make a separate assertion of confidentiality for each response and each document that you consider confidential. Submit the portion of the response that you consider confidential in a separate, sealed envelope. Mark the envelope *confidential*, and identify the number of the question to which the envelope's contents are the response.

For each assertion of confidentiality, identify:

1. The period of time for which you request that the Agency consider the information confidential, e.g., until a specific date or until the occurrence of a specific event;
2. The measures that you have taken to guard against disclosure of the information to others;
3. The extent to which the information has already been disclosed to others and the precautions that you have taken to ensure that no further disclosure occurs;
4. Whether U.S. EPA or other federal agency has made a pertinent determination on the confidentiality of the information or document. If an agency has made such a determination, enclose a copy of that determination.



5. Whether disclosure of the information or document would be likely to result in substantial harmful effects to your competitive position. If you believe such harm would result from any disclosure, explain the nature of the harmful effects, why the harm should be viewed as substantial, and the causal relationship between disclosure and the harmful effect. Include a description of how a competitor would use the information.
6. Whether you assert that the information is voluntarily submitted as defined by 40 C.F.R. 2.201(i). If you make this assertion, explain how the disclosure would tend to lessen the ability of U.S. EPA to obtain similar information in the future.
7. Any other information that you deem relevant to a determination of confidentiality.

Please note that, pursuant to 40 C.F.R. 2.208(e), the burden of substantiating confidentiality rests with you. The U.S. EPA will give little or no weight to conclusory allegations. If you believe that facts and documents necessary to substantiate confidentiality are themselves confidential, please identify them as such so that U.S. EPA may maintain their confidentiality pursuant to 40 C.F.R. 2.205(c). If you do not identify this information and documents as *confidential*, your comments will be available to the public without further notice to you.

**Attachment 6**  
**DESCRIPTION of LEGAL AUTHORITY**

The federal **Superfund** law (the Comprehensive Environmental Response, Compensation and Liability Act), 42 U.S.C. § 9601, *et seq.*, (commonly referred to as **CERCLA** or Superfund), gives the U.S. EPA the authority to, among other things: 1) assess contaminated sites; 2) determine the threats to human health and the environment posed by each site; and 3) clean up those sites in the order of the relative threats posed by each.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604 (e)(2), U.S. EPA has broad information-gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- A. The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- B. The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at/or from a vessel or facility;
- C. The ability to pay the costs of the clean-up.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to each question within this Information Request and within the prescribed time frame can result in an enforcement action by U.S. EPA pursuant to Section 104(e)(5) of CERCLA. This section also authorizes an enforcement action with similar penalties if the recipient of the Request does not respond and does not justify the failure to respond. Other statutory provisions (18 U.S.C. § 1001) authorize separate penalties if the responses contain false, fictitious, or fraudulent statements. U.S. EPA has the authority to use the information requested in this Information Request in an administrative, civil, or criminal action.

**CHEMICAL RECOVERY SYSTEMS  
UPDATED PRP ADDRESS LIST  
LAST UPDATED 10/09/03**

- |   |  |
|---|--|
| 1. 3 M Corp.<br>Attn: Brian Davis<br>P.O. Box 33428<br>St. Paul, MN 55133-3428  | 9. American Greetings Corp.<br>Attn: Michelle Creger<br>One American Road<br>Cleveland, OH 44144-2938  |
| 2. Black McCuskey Souers & Arbaugh<br>Attn: Victor Marsh<br>1000 United Bank Plaza<br>220 Market Avenue South<br>Canton, OH 44702-2116 (re: Adelphia) | 10. Ashland Chemical, Inc.<br>Robin Lampkin-Isabel<br>P.O. Box 2219<br>Columbus, OH 43216  |
| 3. Parker Hannifin<br>Airborne Division<br>Attn: Chris Burich<br>6035 Parkland Blvd<br>Cleveland, OH 44124-4141                                       | 11. Astatic Corp.<br>P.O. Box 120<br>Conneaut, OH 44030  |
| 4. KOA Speer Electronics<br>f/k/a Airco Speer Electronics<br>Bolivar Drive, PO Box 547<br>Bradford, PA 16701  | 12. Auto & Industrial Finishes<br>Attn: Kevin R. Kehoe<br>9070 Marshall Road<br>Cranberry Township, PA 16066   |
| 5. Chemcentral<br>f/k/a Allegheny Solvents & Chemical<br>P.O. Box 730<br>Bedford Park, IL 60499-0730  | 13. Squire, Sanders & Dempsey L.L.P<br>Attn: Douglas McWilliams<br>4900 Key Tower, 127 Public Square<br>Cleveland, OH 44114-1304<br>(re: Avery/Fasson) |
| 6. Foley and Lardner<br>Attn: Tanya O'Neill<br>777 E Wisconsin Ave.<br>Milwaukee, WI 53202-5367<br>(re: Allis Chalmers Corp.)                         | 14. Thompson Hine<br>Attn: Heidi Goldstein<br>3900 Key Center<br>127 Public Square<br>Cleveland, OH 44114-1291<br>(re: B.F. Goodrich)                  |
| 7. US Steel Corporation<br>Attn: Miles Stipanovich<br>600 Grant Street, Room 1500<br>Pittsburgh, PA 15219-2800 (re: Alside)                           | Thompson Hine<br>Attn: Keely O'Bryan<br>3900 Key Center<br>127 Public Square<br>Cleveland, OH 44114-1291<br>(re: B.F. Goodrich)                        |
| 8. American Colors, Inc.<br>Attn: Jim Sayre<br>1110 Edgewater Drive<br>Sandusky, OH 44870   | 15. McGregor & Patterson<br>Attn: J Russell McGregor<br>105 Smithfield Street, Suite 200<br>Pittsburgh, PA 15222<br>(re: Ball/Ranbar/BBT)              |

16. Squires Sanders & Dempsey  
Attn: Vincent Atriano  
1300 Huntington Center  
41 South High Street  
Columbus, OH 43215 (re: Barr, Inc.)
17. Basic Packaging Machinery Corp.  
642 Sugar Lane  
Elyria, OH 44035
18. Walton Paint Company  
d/b/a Beaver Paint Company  
Attn: Joseph Walton  
108 Main Street  
Jamestown, PA 16134
19. Thompson Hine  
Attn: Andrew Kolesar  
312 Walnut Street, 14<sup>th</sup> floor  
Cincinnati, OH 45202-4029  
(re: Berenfield Steel Drum)
20. Black McCuskey Souers & Arbaugh  
Attn: Victor Marsh  
1000 United Bank Plaza  
220 Market Avenue South  
Canton, OH 44702-2116 (re: Bison)
21. Vorys, Sater, Seymour and Pease  
Attn: Joe Blasko  
52 East Gay Street  
Columbus, OH 43216-1008  
(re: Borden Chemical)
22. Borg Warner  
Attn: Stephanie Bransfield  
200 South Michigan Avenue  
Chicago, IL 60604
23. Lathrop & Gage  
Attn: Jonathan Haden  
2345 Grand Blvd., Ste 2800  
Kansas City, MO 64108-2612 (re: BFI)
24. Whyte, Hirschboeck & Dudek  
Attn: Jennifer Buzdecky  
111 East Wisconsin Ave., Ste 2100  
Milwaukee, WI 53202 (re: Bucyrus Erie)
25. Bud Industries, Inc.  
Attn: Ravi Jain  
P.O. Box 998  
Willoughby, OH 44096
26. Don E. Cain  
2321 Fortune Drive  
Lexington, KY 40509  
(RE: Don Cain and C&C Supply)
27. Aztec Peroxides, Inc.  
f/k/a Carmac Chemical  
555 Garden Street  
Elyria, OH 44035
28. David B. Graham  
Kaufman & Canoles  
1200 Old Colony Lane  
P.O. Box 6000  
Williamsburg, VA 23188  
(re: Celanese)
29. Checkmate Boats  
3691 State Route 4  
Bucyrus, OH 44820
30. McDermott, Will & Emery  
Attn: Louis Rundio, Jr.  
227 W. Monroe St.  
Chicago, IL 60606 (re: Chemcentral)
31. Doepken Keevican & Weiss, P.C.  
Attn: Terry L. Schnell  
58th Floor, USX Tower  
600 Grant Street  
Pittsburgh, PA 15219-2703 (re: Chemical Dist.)
32. Chemical Recovery Systems, Inc.  
Attn: Peter Shagena  
42714 Woodward Avenue, Suite A  
Bloomfield Hills, MI 48304-5061
33. Waste Management  
f/k/a Chem-Trol Pollution Control Services  
Attn: James Forney  
3970 Heritage Avenue  
Okemos, MI 48864

34. Chemtron Corp.  
Attn: Richard Timm  
35850 Schneider Ct.  
Avon, OH 44011
35. Howard & Howard  
Attn: Gary Peters  
39400 Woodward Avenue, Suite 101  
Bloomfield Hills, MI 48304-5151  
(Re: Chrysler Plastics)  
  
DaimlerChrysler Corporation  
f/k/a Chrysler Plastic Products Co.  
Attn: Kathleen Hennessey, CIMS 485-13-62  
1000 Chrysler Drive  
Auburn Hills, MI 48236-2808
36. Ingersoll-Rand  
Attn: Donna McMahon  
200 Chestnut Ridge Road  
Woodcliff Lake, NJ 07677  
(re: Clark Equipment)
37. Clyde Paint & Supply Co.  
Gerald F. Thomas, Registered Agent  
301 Lisa Ann Drive  
Huron, OH 44839
38. Cytec Olean  
Attn: Thomas Waldman  
Five Garret Mtn Plaza  
West Paterson, NJ 07424  
(re: Conap, Inc.)
39. Conneaut Leather, Inc.  
Attn: Howard Bartow  
4114 Carpenter Road  
Ashtabula, OH 44004
40. Dwyer, Kinburn, Hall & Golub  
Attn: Terrence Dwyer  
16 Furler Street  
Totowa, NJ 07511-0437  
(re: Continental Can/Kiewit)  
  
Crown Cork & Seal  
f/k/a Continental Can  
Attn: William Gallagher  
One Crown Way  
Philadelphia, PA 19154
41. Cuyohoga Chemical Company  
Attn: Paul Moffat  
3470 West 140<sup>th</sup> Street  
Cleveland, OH 44111-2431
42. Thompson Hine  
Attn: Michael Cyphert  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114-1291  
(re: DeSantis Coatings)
43. Baker & Hostetler, LLP  
Attn: Jason Perdion  
3200 National City Center  
1900 East 9<sup>th</sup> Street  
Cleveland, OH 44114-3485  
(re: Dorn Color)
44. Dow Corning Corporation  
Attn: Jeanne D. Dodd (Mail # CO1222)  
2200 West Salzburg Road  
Midland, MI 48686-0994
45. E.I. duPont de Nemours  
f/k/a DuPont Chemical  
Attn: Barbara Gravely, D-7083  
1007 Market Street  
Wilmington, DE 19898
46. Alan Plotkin  
18 East 48<sup>th</sup> Street, Floor 18  
New York, NY 10017 (re: Eagle Rubber)
47. Eastman Kodak  
Attn: Elliott Stern  
343 State Street  
Rochester, NY 14650-0217
48. Centria  
f/k/a Elwin G. Smith  
1005 Beaver Grade Road  
Coraopolis, PA 15108  
  
Frost Brown Todd, LLC  
Attn: Steven Wesloh  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, OH 45202  
(re: EG Smith/AK Steel)

49. Elyria Foundry  
Attn: Samuel Knezevic  
120 Filbert Street  
Elyria, OH 44036  
  
Chromalloy American Corp.  
f/k/a Elyria Foundry  
120 S. Central Ave.  
St. Louis, MO 63105
50. Dow Chemical Co.  
f/k/a Essex Chemical-Jamestown Finishes  
Attn: Tracy Goad Walter  
2030 Dow Center  
Midland, MI 48676
51. FBC Chemical Corporation  
Attn: Lad Hudac  
P.O. Box 599  
Mars, PA 16046
52. Joondeph & Bittel  
Attn: Dale Wilson  
50 South Main Street, Suite 700  
Akron, OH 44308 (re: Ferriot Bros)
53. Hanna, Campbell & Powell  
Attn: David Moss  
3737 Embassy Parkway  
P.O. Box 5521  
Akron, OH 44334 (re: Firestone)  
  
Jones, Day, Reavis & Pogue  
Attn: Heidi Hughes Bumpers  
51 Louisiana Avenue, N.W.  
Washington, D.C. 20001-2113  
(re: Bridgestone-Firestone)
54. Mattel, Inc.  
f/k/a Fisher Price Toys  
Attn: Gregg Clark  
333 Continental Blvd.  
El Segundo, CA 90245-5012  
  
Morrison & Foerster  
Attn: Peter Hsiao  
555 West Fifth Street  
Los Angeles, CA 90013 (re: Fisher Price Toys)
55. Ford Motor Company  
Attn: Kathy Hofer  
Parklane Towers West Ste 1500  
Three Parklane Blvd.  
Dearborn, MI 48126-2568
56. Foseco, Inc.  
Attn: Frank Simcic  
20200 Sheldon Road  
Cleveland, OH 44142
57. Vorys, Sater, Seymour and Pease  
Attn: Martyn Brodnik  
52 East Gay Street  
P.O. Box 1008  
Columbus, OH 43216-1008  
(re: Franklin Int'l/Glue)
58. Young Sommer, LLC  
Attn: Dean Sommer  
Five Palisades Drive  
Albany, NY 12205  
(re: General Electric)
59. General Motors  
Attn: Linda Bentley (MC 482-C24-D24)  
300 Renaissance Center  
Detroit, MI 48243
60. Continental General Tire  
f/k/a General Tire and Rubber  
Attn: Ralph McCormick  
1800 Continental Blvd.  
Charlotte, NC 28273  
  
GenCorp, Inc.  
f/k/a General Tire and Rubber  
P.O. Box 537012  
Sacramento CA 95853-7012
61. Glidden Co.  
Attn: Robert Kovalak  
925 Euclid Avenue, Suite 900  
Cleveland, OH 44115
62. Goodyear Tire & Rubber Co.  
Attn: Neal Rountree  
1144 E. Market Street  
Akron, OH 44316

63. Reale & Fossee  
Attn: C.S. Fossee  
625 Stanwix Street, Ste 2405  
Pittsburgh, PA 15222 (re: Gordon Terminal)
64. GLS Corporation  
Attn: Nancy Dehmlow (Great Lakes Terminal)  
P.O. Box 3208  
Arlington Heights, IL 60006-3208
65. Centria  
f/k/a H.H. Robertson  
1005 Beaver Grade Road  
Coraopolis, PA 15108  
  
McDermott, Will & Emery  
Attn: Todd R. Wiener  
227 West Monroe  
Chicago, IL 60606  
(re: H.H. Robertson)
66. Goldberg, Stinnett, Meyers & Davis  
Attn: Katherine Ray  
44 Montgomery St., Ste 2900  
San Francisco, CA 94104 (re: Hexcel)  
  
Hexcel Corporation  
Attn: A. William Nosil  
11711 Dublin Boulevard  
Dublin, CA 94568  
  
David B. Graham  
Kaufman & Canoles  
1200 Old Colony Lane  
P.O. Box 6000  
Williamsburg, VA 23188  
(re: Hexcel)
67. ITW Food Equipment  
Attn: Steve Adams  
701 S Ridge Avenue  
Troy, OH 45374  
(re: Hobart/Dayton Grove City)
68. Black McCuskey Souers & Arbaugh  
Attn: Victor Marsh  
1000 United Bank Plaza  
220 Market Avenue South  
Canton, OH 44702-2166  
(re: Hoover Company)
69. Calfee, Halter & Griswold LLP  
Attn: Susan Strom  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, OH 44114-2688 (re: Hukill)
70. Henkel Corporation  
f/k/a Dexter Corp./Dexter-Hysol  
Attn: Kevin Chu  
2200 Renaissance Blvd.  
Gulph Mills, PA 19406  
  
Kenneth Arnold  
49 Valley Drive-Suite 200  
Furlong, PA 18925 (re: Henkel/Dexter)  
  
Akzo Nobel Inc.  
Attn: Brian Curtis  
300 South Riverside Plaza, Suite 2200  
Chicago, IL 60606 (re: Dexter Corp.)
71. J. C. Whitlam Manufacturing Co.  
Attn: Steve Carey  
P.O. Box 380  
Wadsworth, OH 44282-0380
72. Jamestown Paint & Varnish Co.  
Attn: Joseph Walton  
108 Main Street  
Jamestown, PA 16134  
  
Thompson Hine  
Attn: Heidi Goldstein  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114  
(re: Jamestown Paint & Varnish)

Thompson Hine  
Attn: Keely O'Bryan  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114  
(re: Jamestown Paint & Varnish)

VIACOM, Inc.  
Attn: Linda Kelley  
MC745  
11 Stanwix Street  
Pittsburgh, PA 15222-1384 (re: Luxaire)

73. Kalcor Coatings Co.  
Attn: Newton Zucker  
37721 Stevens Blvd.  
Willoughby, OH 44094

80. Kahn, Kleinman, Yanowitz & Arnson  
Attn: James Koewler  
1301 East Ninth Street, Suite 2600  
Cleveland, OH 44114-1824  
(re: Mahoning Paint)

74. Foley, Hoag & Eliot  
Attn: Monica Conyngham  
One Post Office Square  
Boston, MA 02109  
(Re: Kenner/Hasbro)

81. McMahon, DeGulis, Hoffman & Lombardi  
Attn: Gregory DeGulis  
812 Huron Road, Ste 650  
Canton, OH 44115-1126  
(re: Mameco International)

75. Shumaker, Loop & Kendrick  
Attn: Jeffrey Fort  
1000 Jackson  
Toledo, OH 43624  
(re: Lake Shore Industries)

82. USG  
f/k/a Marlite  
125 South Franklin  
Chicago, IL 60606

76. Liberty Solvents & Chemical Co.  
Attn: Raymond Pasquali  
9429 Ravenna Road  
Twinsburg, OH 44087

83. International Paper Company  
f/k/a Masonite Corporation  
Attn: Mr. Joseph Saab  
Tower II  
6400 Poplar Ave.  
Memphis, TN 38197

77. BASF Corporation  
Attn: Nan Bernardo  
3000 Continental Drive - North  
Mount Olive, NJ 07828  
(re: BASF/Limbacher)

84. Lundgren Goldthorpe & Zumbar  
Attn: Andrew Zumbar  
526 East Main Street  
Alliance, OH 44601-0595  
(re: Miller Studio)

78. Jones, Day, Reavis & Pogue  
Attn: John Rego  
901 Lakeside Ave.  
Cleveland, OH 44114-1190  
(re: Lorain Products)

85. Bayer Polymers, LLC  
Attn: Joel E. Robinson  
100 Bayer Road  
Pittsburgh, PA 15205-9741  
( re: Mobay Chemical)

79. Babst, Calland, Clements & Zominir  
Attn: Michele Gutman  
Two Gateway Center  
Pittsburgh, PA 15222 (re: Luxaire)



86. Exxon Mobil  
Attn: Steven Schmidt  
Pegasus Plaza, Room 5a39  
3000 Pegasus Park Drive  
Dallas, TX 75247 (re: Mobil Chemical)
87. Warren and Young  
Attn: Stuart Cordell  
134 W 46th Street  
Ashtabula, OH 44005-2300  
(re: Molded Fiberglass)
88. Nick Shilatz  
113 Lintel Drive  
Canonsburg, PA 15317-3615  
(RE: NS Marketing)
89. National Acme  
170 E. 131st Street  
Cleveland, OH 44108
90. Rexam Beverage Can Americas  
f/k/a National Can  
Attn: Frank Brown  
4201 Congress Street, Suite 340  
Charlotte, NC 28209
91. Neville Chemical Company  
Attn: Thomas McKnight  
2800 Neville Road  
Pittsburgh, PA 15225-1496
92. NCC Incorporated  
f/k/a Nolwood Chemical  
Attn: Arthur McWood, Jr.  
42714 Woodward Avenue, Suite A  
Bloomfield Hills, MI 48304-5061  
  
PVS Chemicals, Inc./Nolwood Chemical  
Attn: Jonathan Taub  
10900 Harper Avenue  
Detroit, MI 48213
93. Nordson Corporation  
Attn: Robert Veillette  
28601 Clemens Road  
Westlake, OH 44145
94. Philip Services  
Attn: Michael Chimitris  
9700 Higgins Road, Suite 750  
Rosemont, IL 60018 (re: Nortru)
95. Day, Berry & Howard  
Attn: Tricia Haught  
CityPlace I  
Hartford, CT 06103-3499 (re: Ohio Brass)
96. Thomas Pannett  
Ohio Attorney General's Office  
140 East Troy St., 12<sup>th</sup> floor  
Columbus, OH 43215-4132 (re: Ohio DOT)
97. Yenkin Majestic Paint Corporation  
Ohio Polychemical Division  
Attn: Merom Brachman  
1920 Leonard Avenue  
Columbus, OH 43219
98. Thompson Hine  
Attn: Heidi Goldstein  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114-1291  
(re: Owens Illinois)  
  
Thompson Hine  
Attn: Keely O'Bryan  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114-1291  
(re: Owens Illinois)
99. Mary Davis  
Seeley, Savidge & Ebert Co., LPA  
600 Superior Ave., East, Suite 800  
Cleveland, OH 44114  
(re: P&K Oil Service)
100. FirstEnergy  
Attn: Douglas Weber  
76 South Main St  
Akron, OH 44308  
(re: Painesville Nuc. Pwr)

101. Pfizer, Inc.  
f/k/a Parke-Davis & Company  
Attn: Michael McThomas  
235 E. 42<sup>nd</sup> St.  
New York, NY 10017
102. Beazer East, Inc.  
f/k/a Parr, Inc/Koppers & Co. Inc.  
One Oxford Centre, Suite 3000  
Pittsburgh, PA 15219
103. Plas-Tanks Industries, Inc.  
Attn: J. Kent Covey  
39 Standen Drive  
Hamilton, OH 45015
104. Valspar  
Attn: Ronda Bayer  
1101 S Third St.  
Minneapolis, MN 55415 (re: Plasti-Kote)
105. PPG Industries  
Attn: Paul King  
One PPG Place  
Pittsburgh, PA 15272
106. Amer Cunningham Co.  
Attn: Michael S. Urban  
159 S. Main St.  
Akron, OH 44308-1322  
(re: Quality Synthetic Rubber)
107. Scott Fetzer Company  
f/k/a Quikut  
Attn: Patricia Scanlon  
28800 Clemens Road  
Westlake, OH 44145-1197
- Jones, Day, Reavis & Pogue  
Attn: Thomas Hamilton  
901 Lakeside Avenue  
Cleveland, OH 44114-1190 (re: Quikut)
108. R. W. Beckett Corp.  
Attn: Donald Brackenhoff  
P.O. Box 1289  
Elyria, OH 44036-1289
109. LTV Steel  
f/k/a Republic Steel  
Attn: T.A. Zalenski  
200 Public Square  
Cleveland, OH 44114-2308
110. Babst, Calland, Clements, Zomnir  
Attn: Kevin Garber  
2 Gateway Center  
Pittsburgh, PA 15222 (re: Rexroth)
111. Wickens, Herzer, Panza Cook & Batista  
Attn: Richard Panza  
35765 Chester Road  
Avon, OH 44011-1262  
(re: Robert Ross & Sons)
112. Rockwell International  
Attn: Gary Ballesteros  
777 E Wisconsin Ave., Ste 1400  
Milwaukee, WI 53202
113. Shell Oil Company  
Attn: Mary Smith, Room 4881 OSP  
P.O. Box 2463  
Houston, TX 77252-2463
114. Sherwin Williams Co.  
Attn: Allen Danzig  
101 Prospect Avenue NW  
Cleveland, OH 44115-1075  
(re: Sherwin/Sprayon)
115. Honeywell  
f/k/a Sinclair & Valentine  
Attn: Heleen Schiller  
P.O. Box 2245  
Morristown, NJ 07962-2245
116. Moen  
f/k/a Stanadyne, Inc  
Attn: Dennis McKinney  
25300 Al Moen Drive  
North Olmsted, OH 44070-8022

117. LeBoeuf, Lamb, Greene & McRae  
Attn: Patricia Shaw  
One Gateway Center  
420 Fort Duquesne Blvd., Ste 1600  
Pittsburgh, PA 15222-1437 (re: Stolle)
118. Superior Screw  
P.O. Box 92046  
Elk Grove, IL 60009
119. Vorys, Sater, Seymour and Pease  
Attn: Scott Doran  
52 East Gay Street  
Columbus, OH 43216-1008 (re: Taylor Metals)
120. Benjamin Moore & Company  
Attn: Kathleen Ewing  
51 Chestnut Ridge  
Montvale, NJ 07645  
(re: Technical Coatings)
121. Cotsirilos, Tighe & Streicker, Ltd.  
Attn: Ann Tighe  
33 North Dearborn Street, Suite 600  
Chicago, IL 60602  
(re: Technical Products Inc.)
122. Dean & Fulkerson  
Attn: James O'Brien  
801 West Big Beaver Road, Suite 500  
Troy, MI 48084  
(re: Tecumseh Products Co.)
123. Hanna, Campbell & Powell  
Attn: David Moss  
3737 Embassy Parkway  
P.O. Box 5521  
Akron, OH 44334  
(re: Temperature Controls)
124. ShawPittman  
Attn: Jeffrey Knight  
2300 N Street NW  
Washington, DC 20037 (re: Therm-o-Disc)
125. Babst, Calland, Clements Zomnir  
Attn: Lindsay Howard  
Two Gateway Center  
Pittsburgh, PA 15222  
(re: Thomas Steel Strip Corporation)
126. Northrop Grumman Corporation  
f/k/a TRW  
Attn: Gabriel Calvo  
1000 Wilson Blvd., Suite 2300  
Arlington, VA 22209-2278
127. Squires Sanders & Dempsey  
Attn: Vincent Atriano  
1300 Huntington Center  
41 South High Street  
Columbus, OH 43215 (re: U.S. Chemical)
128. Dow Chemical Co.  
f/k/a Union Carbide Corp.  
2030 Dow Center  
Midland, MI 48674
129. Crompton  
Attn: Jeffrey Bailot/Pamela Missal  
Benson Road  
Middlebury, CT 06749 (re: Uniroyal)  
  
Michelin NA  
Attn: James Fannin  
P.O. Box 19001  
One Parkway South  
Greenville, SC 29615 (re: Uniroyal)  
  
Uniroyal Technology Corp.  
f/k/a Uniroyal Plastics  
Attn: Oliver Janney  
2 North Tamiami Trail #900  
Sarasota, FL 34236-5568
130. Fulbright & Jaworski  
Attn: Eva Fromm O'Brien  
1301 McKinney, Suite 5100  
Houston, TX 77010  
(re: Universal Cooperatives)

131. Tommy Armour Golf  
f/k/a Victor Comptometer-Golf  
8350 North Lehigh Avenue  
Morton Grove, IL 60053
132. Doepken Keevican & Weiss, P.C.  
Attn: Terry L. Schnell  
58th Floor, USX Tower  
600 Grant Street  
Pittsburgh, PA 15219-2703 (re: W.J. Ruscoe)
133. Whirlpool Corp.  
Attn: Larry Yinger  
2000 N M-63  
Benton Harbor, MI 49022-2692
134. Buckingham, Doolittle & Burroughs  
Attn: Ralph Amiet  
50 S Main Street  
Akron, OH 44309-1500 (re: Wooster Brush)
135. Yenkin Majestic Paint Corporation  
Attn: Merom Brachman  
1920 Leonard Avenue  
Columbus, OH 43219

### **Addressees of General Notice and Information Request**

1. A.B. Dick Company  
(Addressograph/Multigraph)  
7400 Caldwell Avenue  
Niles, IL 60714-3806
2. Dot Label, Inc.  
(Allegheny Label)  
6701 West 64<sup>th</sup>, Ste. 228  
Overland Park, KS 66202
3. Global Film & Packaging Corp.  
(Basic Packaging Systems)  
1717 East Ninth Street, 14<sup>th</sup> Flr.  
Cleveland, OH 44114
4. North Coast Container Corp.  
(Calig Steel Drum)  
8806 Crane Ave.  
Cleveland, OH 44105-1622
5. SPX Valves & Controls  
(Chemetron Process Equipment)  
Corporate Facility  
250 Riverside Ave., N.  
Sartell, MN 56377
6. Chemical Solvents, Inc.  
3751 Jennings Rd.  
Cleveland, OH 44109
7. E.E. Zimmerman Company  
1370 Old Freeport Road  
Pittsburgh, PA 15238
8. Elyria Foundry  
c/o Sequa Corporation 200 Park Avenue  
New York, NY 10166
9. Erie Universal  
311 State  
Erie, PA 16507
10. Pelikan, Inc.  
(Imaging Systems Corp.)  
3011 Armory Dr., Suite 190  
Nashville, TN 37204

11. Interstate Chemical Co.  
P.O. Box 1600  
Hermitage PA 16148-0600
12. McKesson Corporation  
One Post Street  
San Francisco, CA 94104-5296
13. National Acme Company  
1900 Case Parkway  
Twinsburg, OH 44087
14. Ohio Formulators, Inc.  
c/o John J. Beyerle  
4664 Southwood Drive  
Cleveland, OH 44144
15. Lexington Precision Corporation  
(Perry Plastics, Inc.)  
767 3<sup>rd</sup> Ave.  
New York, NY 10017
16. Textron, Inc.  
(Randall Co., Randall Div.)  
40 Westminster St.  
Providence, RI 02903-2596
17. Solvent Resource Recovery  
4301 Infirmary Road  
West Carrollton, OH 45439
18. Studebaker Chemical  
c/o Roetzel and Andress  
Attn: Shane Farolino  
22 South Main Street  
Akron, OH 44308
19. Superior Chemical Products Co.  
220 Hubbard Rd.  
Youngstown, OH 44505
20. Systech Environmental Corporation  
(Systems Technology Corporation)  
c/o Daniel Brown  
300 N. Main, Ste. 200  
Middletown, OH 45042-1919

21. The Gerstenslager Company  
c/o Worthington Industries, Inc.  
200 Old Wilson Bridge Rd.  
Columbus, OH 43805
22. Virden Corporation  
c/o Brian D. Kelly  
35441 Lakeshore Blvd.  
Eastlake, OH 44095
23. Lucent  
(Western Electric Co.)  
Attn: Environmental/Legal  
600 Mountain Avenue  
Murray Hill, NJ 07974
24. Whittaker Corporation  
1955 Surveyor Ave.  
Simi Valley, CA 93063-3369

**Addressees of General Notice and Information Request  
June 14, 2005**

1. Lockheed Martin  
(fka Martin Marietta)  
6705 Rockledge Drive  
Bethesda, MD 20817  
  
Lockheed Martin  
(fka Martin Marietta)  
6550 Rock Spring Drive  
Ste. 400  
Bethesda, MD 20817
2. RPM, Inc.  
(fka Tropical Paint)  
2628 Pearl Road  
Medina, OH 44256-7623  
  
RPM, Inc.  
(fka Tropical Paint)  
2628 Pearl Road  
Brunswick, OH 44212
3. USG Corporation  
(fka US Gypsum)  
Department 149  
125 South Franklin  
Chicago, IL 60606
4. Donn Inc.  
(nka USG Corporation)  
1000 Crocker Road  
Westlake, OH 44145





## Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

### U.S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and State environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

#### **EPA Websites**

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. Many public libraries provide access to the Internet at minimal or no cost.

EPA's Small Business Home Page (<http://www.epa.gov/sbo>) is a good place to start because it links with many other related websites. Other useful websites include:

*EPA's Home Page*  
<http://www.epa.gov>

*Small Business Assistance Programs*  
<http://www.epa.gov/ttn/sbap>

*Compliance Assistance Home Page*  
<http://www.epa.gov/oeca/oc>

*Office of Site Remediation Enforcement*  
<http://www.epa.gov/oeca/osre>

#### **Hotlines, Helplines and Clearinghouses**

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance on environmental requirements.

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs. Key hotlines include:

**EPA's Small Business Ombudsman**  
(800) 368-5888

**Hazardous Waste/Underground Tanks/  
Superfund**  
(800) 424-9346

**National Response Center**  
(to report oil and hazardous substance spills)  
(800) 424-8802

**Toxics Substances and Asbestos Information**  
(202) 554-1404

**Safe Drinking Water**  
(800) 426-4791

**Stratospheric Ozone and Refrigerants  
Information**  
(800) 296-1996

**Clean Air Technical Center**  
(919) 541-0800

**Wetlands Hotline**  
(800) 832-7828

*Continued on back*



### Compliance Assistance Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established national Compliance Assistance Centers that provide Internet and "faxback" assistance services for several industries with many small businesses. The following Compliance Assistance Centers can be accessed by calling the phone numbers below and at their respective websites:

#### Metal Finishing

(1-800-AT-NMFRC or [www.nmfrc.org](http://www.nmfrc.org))

#### Printing

(1-888-USPNEAC or [www.pneac.org](http://www.pneac.org))

#### Automotive Service and Repair

(1-888-GRN-LINK or [www.ccar-greenlink.org](http://www.ccar-greenlink.org))

#### Agriculture

(1-888-663-2155 or [www.epa.gov/oeca/ag](http://www.epa.gov/oeca/ag))

#### Printed Wiring Board Manufacturing

(1-734-995-4911 or [www.pwbrc.org](http://www.pwbrc.org))

#### The Chemical Industry

(1-800-672-6048 or [www.chemalliance.org](http://www.chemalliance.org))

#### The Transportation Industry

(1-888-459-0656 or [www.transource.org](http://www.transource.org))

#### The Paints and Coatings Center

(1-800-286-6372 or [www.paintcenter.org](http://www.paintcenter.org))

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information. For assistance in reaching state agencies, call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org/state.html>.

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Audit Policy (<http://www.epa.gov/oeca/auditpol.html>) and the Small Business Policy (<http://www.epa.gov/oeca/>

[smbusi.html](http://www.epa.gov/oeca/smbusi.html)). These do not apply if an enforcement action has already been initiated.

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your Standard Industrial Code (SIC) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

### Your Duty to Comply

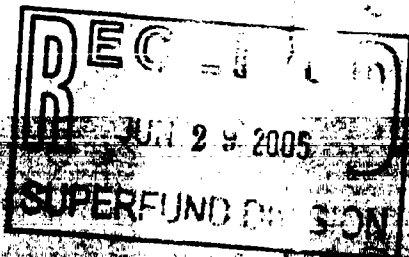
If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

***EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.***

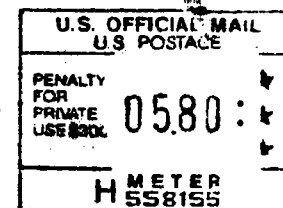


United States  
Environmental Protection  
Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Official Business  
Penalty for Private Use



PRESORTED  
FIRST CLASS



9264

44212

U.S. POSTAGE  
PAID  
CHICAGO, IL  
60604  
JUN 14 '05  
AMOUNT  
\$0.00  
00028329-19

RPM, Inc.  
(fka Tropical Paint)  
2628 Pearl Road  
Brunswick, OH 44212

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL**

7001 0320 0006 0297 7785

Printed on Recycled Paper

- ☐ A ☐ INSUFFICIENT ADDRESS  
☐ C ☐ ATTEMPTED NOT KNOWN  
☐ S ☐ NO SUCH NUMBER/ STREET  
☐ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD
- ☐ OTHER

**RTS**  
RETURN TO SENDER

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RPM, Inc.  
(fka Tropical Paint)  
2628 Pearl Road  
Brunswick, OH 44212

2. Article Number

(Transfer from service label)

7001 0320 0006 0297 7785

PS Form 3811, March 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-01-M-1424